

**§ 905.235**

manifests shall be readily available to the committee upon request.

(b) One copy of the Report of Shipments Under Certificate of Privilege form on each shipment shall be forwarded to the committee promptly, one copy of such form shall be retained by the repacking shipper, and one copy of such form shall accompany the shipment. Failure to complete and return such form shall be cause for suspension of the repacking shippers repacking certificate of privilege.

[59 FR 48783, Sept. 23, 1994]

**Subpart—Assessment Rates**

**§ 905.235 Assessment rate.**

On and after August 1, 2003, an assessment rate of \$0.006 per 4/5 bushel carton or equivalent is established for assessable Florida citrus covered under the order.

[68 FR 55809, Sept. 29, 2003]

**7 CFR Ch. IX (1–1–06 Edition)**

**Subpart—Grade and Size Requirements**

**§ 905.306 Orange, Grapefruit, Tangerine and Tangelo Regulation.**

(a) During the period specified in column (2) of Table I, no handler shall ship between the production area and any point outside thereof, in the 48 contiguous States and the District of Columbia of the United States, any variety of fruit listed in column (1) of Table I unless such variety meets the applicable minimum grade and size (with tolerances for size as specified in paragraph (c) of this section) specified for such variety in columns (3) and (4) of table I: *Provided*, That all grapefruit meet the minimum maturity requirements specified in paragraph (e) of this section.

TABLE I

Variety	Regulation period	Minimum grade	Minimum diameter (inches)
(1)	(2)	(3)	(4)
<b>ORANGES</b>			
Early and midseason .....	01/29/90–08/19/90 .....	U.S. No. 1 Golden .....	2 <sup>3</sup> / <sub>16</sub>
.....	On and after 08/20/90 .....	U.S. No. 1 .....	2 <sup>8</sup> / <sub>16</sub>
Navel .....	On and after 12/7/81 .....	U.S. No. 1 Golden .....	2 <sup>8</sup> / <sub>16</sub>
Temple .....	On and after 12/7/81 .....	U.S. No. 1 .....	2 <sup>8</sup> / <sub>16</sub>
Valencia and other late type .....	August 1 June 14 .....	U.S. No. 1 .....	2 <sup>8</sup> / <sub>16</sub>
.....	June 15 July 31 .....	U.S. No. 2, External .....	2 <sup>9</sup> / <sub>16</sub>
.....	.....	U.S. No. 1, Internal .....	.....
<b>GRAPEFRUIT</b>			
Seedless, red .....	On and after 11/13/00 .....	U.S. No. 1 .....	3 <sup>5</sup> / <sub>16</sub>
Seedless, except red .....	On and after 9/01/94 .....	U.S. No. 1 .....	3 <sup>9</sup> / <sub>16</sub>
<b>TANGERINES</b>			
Fallglo .....	On and after October 19, 1998 .....	U.S. No. 1 .....	2 <sup>6</sup> / <sub>16</sub>
Honey .....	March 23, 1992–08/23/92 .....	Florida No. 1 Golden .....	2 <sup>6</sup> / <sub>16</sub>
.....	On and after 8/24/92 .....	Florida No. 1 .....	2 <sup>6</sup> / <sub>16</sub>
Sunburst .....	On and after September 26, 2000 ..	U.S. No. 1 .....	2 <sup>6</sup> / <sub>16</sub>
<b>TANGELOS</b>			
Tangelos .....	On and After 12/7/81 .....	U.S. No. 1 .....	2 <sup>8</sup> / <sub>16</sub>

(b) During the period specified in column (2) of Table II, no handler shall ship to any destination outside the 48 contiguous States and the District of Columbia of the United States any variety of fruit listed in column (1) of Table II unless such variety meets the applicable minimum grade and size

(with tolerances for size as specified in paragraph (c) of this section) specified for such variety in columns (3) and (4) of Table II: *Provided*, That all grapefruit meet the minimum maturity requirements specified in paragraph (e) of this section.

TABLE II

Variety	Regulation period	Minimum grade	Minimum diameter (inches)
(1)	(2)	(3)	(4)
<b>ORANGES</b>			
Early and midseason .....	01/29/90–08/19/90 .....	U.S. No. 1 Golden .....	2 <sup>1</sup> / <sub>16</sub>
.....	On and after 08/20/90 .....	U.S. No. 1 .....	2 <sup>3</sup> / <sub>16</sub>
Navel .....	On and after 11/24/89 .....	U.S. No. 1 Golden .....	2 <sup>3</sup> / <sub>16</sub>
Temple .....	On and after 11/24/89 .....	U.S. No. 1 .....	2 <sup>3</sup> / <sub>16</sub>
Valencia and other late type: .....	March 23, 1992–9/27/92 .....	U.S. No. 1 .....	2 <sup>1</sup> / <sub>16</sub>
.....	On and after 9/28/92 .....	U.S. No. 1 .....	2 <sup>3</sup> / <sub>16</sub>
<b>GRAPEFRUIT</b>			
Seedless, except red .....	On and after 09/01/94 .....	U.S. No. 1 .....	3 <sup>5</sup> / <sub>16</sub>
Seedless, red .....	On and after 09/01/94 .....	U.S. No. 1 .....	3 <sup>5</sup> / <sub>16</sub>
<b>TANGERINES</b>			
Fallglo .....	On and after October 19, 1998 .....	U.S. No. 1 .....	2 <sup>3</sup> / <sub>16</sub>
Honey .....	March 23, 1992–08/23/92 .....	Florida No. 1 Golden .....	2 <sup>3</sup> / <sub>16</sub>
.....	On and after 08/24/92 .....	Florida No. 1 .....	2 <sup>3</sup> / <sub>16</sub>
Sunburst .....	On and after September 26, 2000 ..	U.S. No. 1 .....	2 <sup>3</sup> / <sub>16</sub>
<b>TANGELOS</b>			
Tangelos .....	On and After 11/24/89 .....	U.S. No. 1 .....	2 <sup>3</sup> / <sub>16</sub>

<sup>1</sup> Florida No. 1 Golden grade for Honey tangerines means the same as provided in Rule No. 20–35.03 of the Regulation of the Florida Department of Citrus.

(c) *Size tolerances.* To allow for variations incident to proper sizing in the determination of minimum diameters as prescribed in Tables I and II, not more than 10 percent, by count, of the fruit in any lot of containers may fail to meet the minimum diameter size requirements, and not more than 15 percent, by count, in any individual sample may fail to meet the minimum diameter size requirements specified: *Provided*, That such tolerances for other than Navel and Temple oranges shall be based only on the oranges in the lot measuring 2<sup>1</sup>/<sub>16</sub> inches or smaller in diameter.

(d) Terms used in the marketing order including Improved No. 2 grade for grapefruit, when used herein, mean the same as is given to the terms in the order; Florida No. 1 grade for Honey tangerines means the same as provided in Rule No. 20–35.03 of the Regulations of the Florida Department of Citrus, and terms relating to grade, except Improved No. 2 grade for grapefruit and diameter, shall mean the same as is given to the terms in the revised U. S. Standards for Grades of Florida Oranges and Tangelos (7 CFR 51.1140 through 51.1179), the revised U. S. Standards for Florida Tangerines (7 CFR 51.1810 through 51.1837), or the revised U. S. Standards for Grades of Florida Grapefruit (7 CFR 51.750 through 51.784).

(e)(1) All grapefruit shipped under the order shall meet minimum maturity requirements of 8.0 percent soluble solids (sugars) and 7.5 to 1 solids to acid ratio or shall comply with one of the alternate equivalent soluble solids and solids to acid ratio combinations set forth in Table III: *Provided*, That the minimum ratio shall not drop below 7.2 even if the soluble solids (sugars) reaches a level higher than 9.6.

(2) Notwithstanding the provision of paragraph (e)(1) of this section, for the period December 23, 2004 to July 31, 2005, all grapefruit shipped under the order shall meet minimum maturity requirements of 7.5 percent soluble solids (sugars) and 7.5 to 1 solids to acid ratio or shall comply with one of the alternate equivalent soluble solids and solids to acid ratio combinations set forth in Table III: *Provided*, That the minimum ratio shall not drop below 7.2 even if the soluble solids (sugars) reaches a level higher than 9.6.

TABLE III

Minimum total solids (sugars), %	Solids to acid minimum ratio
8.0 to (not including) 9.1	7.50 to 1
9.1 to (not including) 9.2	7.45 to 1
9.2 to (not including) 9.3	7.40 to 1
9.3 to (not including) 9.4	7.35 to 1
9.4 to (not including) 9.5	7.30 to 1
9.5 to (not including) 9.6	7.25 to 1
9.6 and greater	7.20 to 1

## § 905.350

[46 FR 60171, Dec. 8, 1981]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 905.306, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

EDITORIAL NOTE: After January 1, 1979, “Budget of Expenses and Rate of Assessment” regulations (e.g. sections .200 through .299) and “Handling” regulations (e.g. sections .300 through .399) which are in effect for a year or less, will not be carried in the Code of Federal Regulations. For FEDERAL REGISTER citations affecting these regulations, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

### § 905.350 Red seedless grapefruit regulation.

This section establishes the weekly percentages to be used to calculate each handler's weekly allotment of small sizes. Handlers can fill their allotment with size 56, size 48, or a combination of the two sizes such that the total of these shipments are within the established weekly limits. The weekly percentages for size 48 ( $3\frac{1}{16}$  inches minimum diameter) and size 56 ( $3\frac{5}{16}$  inches minimum diameter) red seedless grapefruit grown in Florida, which may be handled during the specified weeks, are as follows:

Week	Weekly percentage
(a) 9/19/05 through 9/25/05 .....	35
(b) 9/26/05 through 10/2/05 .....	35
(c) 10/3/05 through 10/9/05 .....	35
(d) 10/10/05 through 10/16/05 .....	35
(e) 10/17/05 through 10/23/05 .....	35
(f) 10/24/05 through 10/30/05 .....	35
(g) 10/31/05 through 11/6/05 .....	25
(h) 11/7/05 through 11/13/05 .....	25
(i) 11/14/05 through 11/20/05 .....	25
(j) 11/21/05 through 11/27/05 .....	25
(k) 11/28/05 through 12/4/05 .....	25
(l) 12/5/05 through 12/11/05 .....	25
(m) 12/12/05 through 12/18/05 .....	25
(n) 12/19/05 through 12/25/05 .....	25
(o) 12/26/05 through 1/1/06 .....	25
(p) 1/2/06 through 1/8/06 .....	25
(q) 1/9/06 through 1/15/06 .....	25
(r) 1/16/06 through 1/22/06 .....	25
(s) 1/23/06 through 1/29/06 .....	25
(t) 1/30/06 through 2/5/06 .....	25
(u) 2/6/06 through 2/12/06 .....	25
(v) 2/13/06 through 2/19/06 .....	25

[70 FR 54242, Sept. 14, 2005]

## 7 CFR Ch. IX (1–1–06 Edition)

### Subpart—Interpretative Rule

#### § 905.400 Interpretation of certain provisions.

(a) In interpreting the provisions of paragraph (d) of § 905.52, the limitation on shipment of any variety of fruit regulated pursuant to paragraph (a)(3) of that section, which was prepared for market during the effective period of such regulation, shall not be deemed to apply to shipment of such variety which was prepared for market incidentally as part of a lot packed for export and shipped following the period of regulation.

(b) Prior to shipment of any variety of fruit so prepared, the handler shall provide the Citrus Administrative Committee or its designated agent a copy of the shipping manifest applicable to such shipment with a notation thereon that the fruit was packed incidentally as part of a lot packed for export.

[54 FR 46597, Nov. 6, 1989]

## PART 906—ORANGES AND GRAPEFRUIT GROWN IN LOWER RIO GRANDE VALLEY IN TEXAS

### Subpart—Order Regulating Handling

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